

AMENDED IN ASSEMBLY JUNE 7, 2000

AMENDED IN SENATE APRIL 13, 2000

SENATE BILL

No. 1769

Introduced by Senator Chesbro

February 23, 2000

An act to amend Section 6045.6 of, and to add Section 6045.3 to, the Penal Code, relating to mental health courts.

LEGISLATIVE COUNSEL'S DIGEST

SB 1769, as amended, Chesbro. Mental health courts.

(1) Existing law requires the Board of Corrections, in consultation with the State Department of Mental Health and the State Department of Alcohol and Drug Programs, to establish minimum standards, funding schedules, and procedures for awarding grants relating to programs for mentally ill inmates.

This bill would ~~provide that preference in awarding grants shall be given to~~ *require the board to encourage counties to submit* crime reduction grant ~~proposal that proposals to~~ establish or implement a mental health court, as described in (2).

(2) Existing law establishes various court diversion and alternate sentencing procedures and programs for specified crimes and defendants. Among other things, the Board of Corrections awards and administers grants to counties that administer a program to reduce crime and costs related to mentally ill offenders.

This bill would provide that this program may provide for the development and implementation of a mental health court. The bill would specify the objectives of the mental health court, which shall provide a single point of contact where a defendant with a mental disability may receive court-ordered treatment and support services in connection with a diversion from prosecution, a sentencing alternative, or a term of probation. The bill would provide that a mental health court shall meet specified criteria, including referral sources, standards for acceptance, participation, and graduation, the utilization of specified local officials as designated staff, and the provision of ~~individualize~~ *individualized* treatment resources through community mental health providers and other agencies. This bill would also provide that the county mental health department shall provide initial and ongoing training for designated staff on the nature and symptoms of mental illness and on the treatment and supportive services available in the community.

Vote: majority. Appropriation: no. Fiscal committee: yes. State-mandated local program: no.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 6045.3 is added to the Penal
- 2 Code, to read:
- 3 6045.3. (a) A component of the comprehensive plan
- 4 described in Section 6045.2 may be the development and
- 5 implementation of a mental health court.
- 6 (b) For purposes of this section, a mental health court
- 7 shall have the following objectives:
- 8 (1) Increased cooperation between the criminal
- 9 justice and mental health systems.
- 10 (2) Faster case processing time.
- 11 (3) Improved access to necessary services and
- 12 support.
- 13 (4) Improved well-being for offenders with mental
- 14 illness.
- 15 (5) Reduced recidivism.
- 16 (c) The mental health court shall provide a single
- 17 point of contact where a defendant with a mental



1 disability may receive court-ordered treatment and
2 support services in connection with a diversion from
3 prosecution, a sentencing alternative, or a term of
4 probation.

5 (d) The mental health court shall meet the following
6 criteria:

7 (1) Defendants may be referred to the mental health
8 court from a variety of sources, including, but not limited
9 to, police, attorneys, family members, probation officers,
10 the district attorney, the public defender, jail personnel
11 or another court.

12 (2) The court shall develop standards for acceptance
13 into, continuing participation in, and graduation from,
14 the mental health court program.

15 (3) The mental health court shall utilize designated
16 staff which include, but is not limited to, a presiding
17 judge, prosecutor, public defender, county mental health
18 liaison, and probation officer.

19 (4) The county mental health department shall
20 provide initial and ongoing training for designated staff,
21 as needed, on the nature of mental illness and on the
22 treatment and supportive services available in the
23 community.

24 (5) A mental health court shall utilize community
25 mental health providers and other agencies to offer
26 defendants access to individualized treatment services.

27 SEC. 2. Section 6045.6 of the Penal Code is amended
28 to read:

29 6045.6. (a) The Board of Corrections, in consultation
30 with the State Department of Mental Health and the
31 State Department of Alcohol and Drug Programs, shall
32 establish minimum standards, funding schedules, and
33 procedures for awarding grants, which shall take into
34 consideration, but not be limited to, all of the following:

35 (1) Percentage of the jail population with severe
36 mental illness.

37 (2) Demonstrated ability to administer the program.

38 (3) Demonstrated ability to develop effective
39 responses to provide treatment and stability for persons
40 with severe mental illness.

1 (4) Demonstrated history of maximizing federal, state,
2 local, and private funding sources.

3 (5) Likelihood that the program will continue to
4 operate after state grant funding ends.

5 (b) ~~Preference shall be given to~~ *The board shall*
6 *encourage counties to submit* crime reduction grant
7 proposals ~~that~~ to establish or implement a mental health
8 court, as described in Section 6045.3.

